

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1 and 4-11 are pending in the application, with claims 1, 8, 10 and 11 being the independent claims. Claims 2-3 and 12-15 were previously cancelled without prejudice or disclaimer of the subject matter therein. Claims 1, 8, 10, and 11 are sought to be amended. Applicant reserves the right to prosecute similar or broader claims, with respect to the cancelled and amended claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

This amendment should be entered after final rejection because it clarifies what the claims recited prior to this amendment, as was argued by Applicants, thus it does not further burden on the Examiner for search or consideration, and, as the Examiner has indicated, places the application in condition for allowance, or better condition for appeal.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Statement of Substance of Examiner Interview

Applicant respectfully thanks the Examiner for extending the courtesy of a telephone interview on March 25, 2009. In the interview, Applicant proposed claim amendments, and the Examiner agreed that the proposed claim amendments distinguished the claims over the applied references.

Rejection under 35 U.S.C. § 103

The Examiner, at page 2 of the Office Action, rejected claims 1 and 4-11 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,558,794 to Jansens (hereinafter "Jansens") in view of U.S. Patent No. 4,575,620 to Ishii *et al.* (hereinafter "Ishii"). Applicant respectfully traverses this rejection, and the Examiner's arguments at page 3 of the Office Action.

Independent claims 1, 8, 10, and 11 recite features that distinguish over the applied references. For example, claim 1 recites, *inter alia*, (emphasis added) "at least one conductive terminal ***coupled to an outside surface of the cable, electronically connected to the heating element, and located at an end of the cable.***" Independent claims 8, 10, and 11 recite, using respective language, similar distinguishing features.

As the Examiner and Applicant discussed and agreed to in the telephone interview of March 25, 2009, neither Jansens nor Ishii teaches at least the above-noted distinguishing features of independent claims 1, 8, 10, and 11.

On page 2 of the Office Action, the Examiner states, which Applicant does not acquiesce to, that Jansens teaches "a conductive terminal located at an end of the cable." Lines 1-3 of the Abstract of Jansens state (emphasis added): "[a] coaxial heating cable comprising a ***central electrically conductive heating core*** is formed from a conductor having a resistance with a positive temperature coefficient..." Jansens does not teach that the "central electrically conductive heating core" is a "conductive ***terminal***... located ***at an end of the cable,***" as recited, using respective language, by claims 1, 8, 10 and 11. Further, Jansens does not teach, for example, that the "central electrically conductive

heating core" in Jansens is "coupled to an outside surface of the cable," as recited, using respective language, by claims 1, 8, 10 and 11.

On page 2 of the Office Action, the Examiner states, which Applicant does not acquiesce to, that Ishii teaches "a semiconductor PTC comprising a polymer having a high density polyethylene matrix including carbon." However, Ishii is not used by the Examiner to teach or suggest, nor does it teach or suggest, at least the above-noted distinguishing features of claims 1, 8, 10, and 11. Therefore, Ishii cannot be used to cure the deficiencies of Jansens. Thus, the applied references cannot be used to establish a *prima facie* case of obviousness for claims 1, 8, 10, and 11.

Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 1, 8, 10 and 11 and find the claims allowable over the applied references. Also, at least based on their respective dependencies to claims 1 and 8, claims 4, 5, 6, 7, and 9 should be found allowable over the applied references, as well as for their additional distinguishing features.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite

Reply to Office Action of September 8, 2008

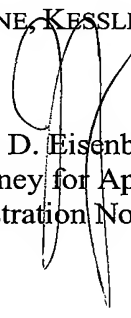
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prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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